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By: Delegate Wood

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A BILL ENTITLED

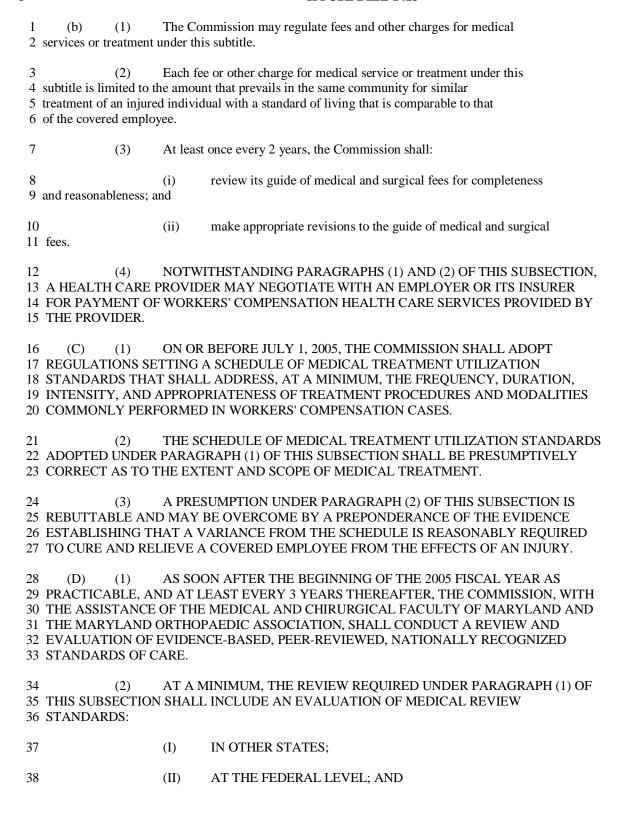
1 AN ACT concerning

- Workers' Compensation Standards of Care Accessibility and Schedule of Treatment
- 4 FOR the purpose of requiring the Workers' Compensation Commission to evaluate, on
- 5 an annual basis, injured workers' access to health care and to include certain
- 6 information in a certain report; requiring the Commission, by a certain date, to
- 7 adopt regulations setting a certain treatment schedule; providing that a certain
- 8 treatment schedule shall be presumptively correct as to the extent and scope of
- 9 medical treatment; providing that a certain presumption is rebuttable and may
- be overcome under certain conditions; requiring the Commission, with the
- 11 assistance of certain other professional organizations, to conduct a certain
- review and evaluation by a certain date and every three years thereafter;
- requiring the Commission to make appropriate revisions to a certain treatment
- schedule; authorizing a health care provider to negotiate with an employer or its
- insurer for the payment of health care services provided; and generally relating
- to standards of care and workers' compensation law.
- 17 BY repealing and reenacting, with amendments,
- 18 Article Labor and Employment
- 19 Section 9-312 and 9-663
- 20 Annotated Code of Maryland
- 21 (1999 Replacement Volume and 2003 Supplement)
- 22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 23 MARYLAND, That the Laws of Maryland read as follows:
- 24 Article Labor and Employment
- 25 9-312.
- 26 (a) (1) As soon as practicable after the end of the fiscal year, the Chairman
- 27 of the Commission shall submit an annual report to the Governor.
- 28 (2) The annual report shall include:

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1		(i)	any sugg	gestions to improve the administration of this title;
2 3	Commission; and	(ii)	a detaile	d statement of receipts and disbursements of the
4	(iii) statistical analyses of:			
5			1.	the costs of workers' compensation;
6			2.	experiences; and
7			3.	industrial injuries.
10 11	Whenever the Commission determines there is probable cause to believe that, during the immediately preceding 1-year period, there has been an excessive number or a high rate of industrial injuries associated with an employer or industry, the Commission shall report the determination to the Commissioner of Labor and Industry.			
13 14	(C) (1) ON AN ANNUAL BASIS, THE COMMISSION SHALL EVALUATE INJURED WORKERS' ACCESS TO HEALTH CARE.			
15 16	(2) AT A MINIMUM, THE COMMISSION SHALL INCLUDE IN THE ANNUAL REPORT REQUIRED UNDER PARAGRAPH (A)(1) OF THIS SECTION:			
17 18	TO QUALITY HEAD	(I) LTH CAI		DINGS AS TO WHETHER THERE IS ADEQUATE ACCESS PRODUCTS FOR INJURED WORKERS;
19 20	COMMISSION TO A	(II) ARRIVE		EW OF THE INFORMATION CONSIDERED BY THE FINDINGS; AND
	(III) ANY RECOMMENDATIONS FOR LEGISLATIVE ACTION TO REMOVE ANY IDENTIFIED BARRIERS TO ACCESS TO HEALTH CARE FOR INJURED WORKERS.			
24	9-663.			
25 26	(a) (1) The Commission shall adopt regulations setting standards for the assessment of fines under § 9-664 of this Part IX of this subtitle.			
27	(2)	(2) The Commission may adopt regulations about:		
28 29	(i) the provision of medicine and medical, nursing, and hospital services to a covered employee;			
30		(ii)	payment	for the medicine and services; and
31 32	granted under § 9-66	(iii) 2 of this s		cise by the Chairman of the Commission of the powers

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- 1 (III) IN A VARIETY OF MEDICAL BENEFIT SYSTEMS.
- 2 (3) BASED ON EACH REVIEW AND EVALUATION CONDUCTED UNDER
- 3 PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL MAKE APPROPRIATE
- 4 REVISIONS TO THE SCHEDULE OF MEDICAL TREATMENT UTILIZATION STANDARDS
- 5 DESCRIBED IN SUBSECTION (C)(1) OF THIS SECTION.
- 6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 7 June 1, 2004.